

REMARKS/ARGUMENTS

Claims 1-9 and 11-16 are pending in the present application. Claim 1 and 3 are rejected under 35 U.S.C. § 102(b) as being clearly anticipated by Bridgers (U.S. Design Patent No. D373,712). Claims 1 and 2 were rejected under 35 U.S.C. § 102(b) as clearly anticipated by Watkins (U.S. Patent No. 6,324,765). Claims 6-7, 9, 13, and 16 are rejected 35 U.S.C. § 103(a) as being unpatentable over Blevins (U.S. Patent No. 6,327,782) in view of Wright (U.S. Patent No. 5,107,665). Claims 1, 4-5, 11-12, 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Blevins. Claims 6 and 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bridgers in view of Watkins. Claim 11 and 14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bridgers in view of Blevins. Applicant respectfully traverses all rejections.

Independent claim 1 has been rejected under 35 U.S.C. § 102(b) as being clearly anticipated by Bridgers and Watkins. Independent claim 1 has been amended to require "a releasable clamp slidably connected to the shaft of the grass trimming device." Claim 1 also requires "a support member slidably connected within the releasable clamp." Neither Bridgers nor Watkins teach a releasable clamp that is slidably connected to a shaft and also a support member that is slidably connected within the clamp. Instead, Bridgers is a design patent that shows a cylinder that is slidably connected to the shaft of a grass trimming device, however, the L-brackets that are attached to the cylinder are secured to the cylinder and do not slide. Watkins also does not teach the dual sliding connection of the releasable clamp. Instead, Watkins teaches a clamp 5 that has a telescoping arm 4 extending therefrom. (Col. 2, lines 51-55). Telescoping arm 4 is not slidably connected to the clamp and

therefore Watkins does not anticipate amended claim 1. Furthermore, Applicant asserts that none of the prior art references display a releasable clamp that is slidably connected to both the shaft of the grass trimmer and the support member. Therefore, not only is amended claim 1 novel, it is also considered non-obvious. Therefore, each and every limitation of the claimed invention is not present and the Applicant respectfully requests that the anticipation rejection should be withdrawn. Claims 2-5 depend on claim 1 and for at least this reason are also considered in allowable form.

Independent claim 1 has also been rejected under 35 U.S.C. § 103(a) as being unpatentable over Blevins. As discussed above, Blevins does not teach a releasable clamp that is slidably engaged by the shaft of the grass trimmer and also is slidably receives a support member. Instead, protection shield 16 is mounted on the implement and has a pair of periphery 18 of its body portion 19 extending partly or all the way around the cutting path. (Col. 2, lines 36-38). The shield can be mounted on a handle by a suitable bracket means 39. (Col. 3, lines 47-51). As can be seen from the figures, bracket 39 does not show a slidable engagement with both the shaft 36 of Blevins and the support member 16. Thus, Blevins does not teach each and every limitation of amended claim 1 and cannot be used to sustain an obviousness rejection.

Independent claim 6 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Blevins in view of Wright and unpatentable over Bridgers in view of Watkins. Application respectfully traverses this rejection. Claim 6 has been amended similarly to claim 1 and thus, Applicant reasserts that neither Blevins, Bridgers or Watkins teach a releasable clamp that is both slidably connected to the shaft of the grass trimmer and

slidably connected to a support member. Similarly, Wright does not teach the double sliding connection and instead teaches a rigid element 28 that is secured to tube 22. (Col. 4, lines 21-24). Thus, because numeral 28 refers to a rigid element that is secured to the shaft or tube 22, the rigid element does not slide along the shaft and a combination of the prior art references cited by the Examiner in both rejections will not result in the device of amended claim 6.

Claim 6 has further been amended to require "wherein the flexible brush member is positioned at a 90° angle to the shaft." None of the four cited references teach a flexible brush member that is positioned to a 90° angle to a shaft. Instead, Watkins teaches a protector plate 19 not a flexible brush member, Bridgers is a design patent that shows a shield and not a flexible brush member, Wright teaches a spatial guide 20 instead of a flexible brush member, and Blevins teaches a monofilament mat 20 that is not at a 90° angle to the shaft but instead is placed perpendicular to the ground. Thus, not a single reference cited by the Examiner teaches a flexible brush member that is positioned at a 90° angle to a shaft. A combination of these references would not result in a device that would have this limitation and therefore each and every limitation of the claimed invention would not be met. Therefore, claim 6 is considered in allowable form. Claims 7-9 and 16 depend on claim 6 and are thus also considered in allowable form.

Independent claim 11 has been rejected under 35 U.S.C. § 103 as being unpatentable over Bridgers in view of Blevins. Dependent claim 15 has been written into independent claim 11 and adds the limitation requiring "the flexible brush member be positioned at a 90° angle to the shaft of the grass trimmer."

Thus, claim 15 has been cancelled. This is similar to the limitation in amended claim 6, and as discussed above, neither Bridgers nor Blevins teach a flexible brush member that is oriented at a 90° angle to a shaft of a grass trimmer and thus the combination of the two would not result in the invention as claimed. Therefore, the Applicant requests that the obvious rejection be withdrawn. Claims 12-14 depend on claim 11 and for at least this reason are considered in allowable form.

#### CONCLUSION

In view of the above remarks, Applicant believes that claims 1-9, 10-14 and 16 are in condition for allowance and Applicant respectfully requests allowance of such claims.

If any issues remain that may be expeditiously addressed in a telephone interview, the Examiner is encouraged to telephone the undersigned at 515/558-0200.

All fees or extensions of time believed to be due in connection with this response are attached hereto; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account 50-2098.

Respectfully submitted,



Timothy J. Zarley  
Reg. No. 45,253  
ZARLEY LAW FIRM, P.L.C  
Capital Square  
400 Locust Street, Suite 200  
Des Moines, IA 50309-2350  
Phone No. (515) 558-0200  
Fax No. (515) 558-7790  
Customer No. 34082  
Attorneys of Record

- JJL/bjs/jlk -